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The Mysore Gazette.

Vol. 40.] PUBLISHED BY AUTHORITY [No. 44.

BANGALORE, THURSDAY, NOVEMBER 9, 1905.

PART III.

Legislative Measures and Rules thereunder.

No. J. 1260—*Courts* 76-3, *dated 4th November* 1905.

In exercise of the powers conferred by sub-section (3) of Section 565 of the Code of Criminal Procedure, Regulation II of 1904, the Government of His Highness the Maharaja of Mysore are pleased to issue the following rules to carry out the provisions of the said Section relating to the notification of the place of their residence by released convicts:—

1. When an order has been passed under section 565 of the Code of Criminal Procedure, Regulation II of 1904, that a convict shall notify his residence and any change of residence after release for a specified term, the Court or Magistrate passing such order shall attach a copy thereof to the warrant of commitment issued under section 383 of the Code in respect of such convict.

2. A convict in respect of whom such an order has been passed shall, when called upon by the officer in charge of the Jail in which he is confined, state before his release the place at which he intends to reside after his release, naming the village or town and the street therein. Intimation of such place of residence shall be given by the officer in charge of the Jail with the least practicable delay to the Inspector General of Police.

3. After release and on arrival at his residence, the convict shall, within twenty-four hours, notify at the nearest Police Station that he has taken up his residence accordingly.

4. Whenever he intends to change his residence, he shall, not less than two days before making such change, notify his intention at the nearest Police Station, giving the date on which he intends to change his residence and the name of the village or the town and the street in which he intends to reside, and, on arrival at such residence, he shall, within twenty-four hours, notify at the nearest Police Station that he has taken up his residence accordingly.

5. The officer recording a notification under either rule 2 or rule 4 shall appoint such period as may be reasonably necessary to enable the convict to take up his residence in the place notified. If the convict does not take up his residence in such place within the period so appointed, he shall, not later than the day following the expiry of such period, notify his actual place of residence to the officer in charge of the Police Station within the limits of which he is residing.

6. Every notice required to be given by the foregoing rules shall be given by the released convict in person, unless prevented from doing so by illness or other sufficient cause, in which case the notice required shall be sent by letter duly signed by him or by an authorised messenger on his behalf.

7. Whenever the released convict gives any notice required by the foregoing rules, he will be furnished with a certificate to the effect that he has given such notice by the officer to whom he gives it.

8. A copy of the order specified in rule I shall be served on the convict before his release from Jail. A copy of these rules in English and in Kannada shall at the same time be given him, and the substance thereof fully explained to him in a language he understands. He shall also be informed for what period he is bound to observe these rules, and that any neglect or failure to comply with them will render him liable to punishment as if he had committed an offence under section 176 of the Indian Penal Code.

9. If a convict in respect of whom an order has been passed under section 565 of the Code of Criminal Procedure shall have been released from Jail without a copy of the said order having been served upon him, and the other formalities specified in these rules having been complied with, he may at any time while the order remains in force, be called upon by the Police to report himself on a given day at a Police Station near the place where he is found, and on his reporting himself, the copy of the order shall be served on him and the other formalities prescribed in rule 8 shall be complied with.

Note.—In applying the above rules to the case of a wandering man who has no "*residence*" in the sense of a fixed place of abode, they may be reasonably interpreted as meaning that he resides at the place where he sleeps, even if he remains there only one night. On his release he may therefore be asked under rule 2 where he is going to stay, and he may be told that if he moves about the country he must always notify the place of his temporary abode to the Police.

By Order,

B. K. VENKATA VARADA IYENGAR,
Secy. to Govt., Gen. & Rev. Dept.